



STATE OF NEVADA
COMMISSION ON ETHICS
<http://ethics.nv.gov>

Wednesday, February 8, 2006
9:00 a.m.

Nevada Legislature
401 South Carson Street, Room 3137
Carson City, Nevada 89701

Via videoconference to:

Legislative Counsel Bureau
Grant Sawyer Building
555 E. Washington Avenue, Room #4406
Las Vegas, Nevada 89101

MINUTES

These minutes constitute a summary of the above proceedings of the Nevada Commission on Ethics.
A verbatim transcript of the open session proceedings, prepared by a certified court reporter,
is available for inspection at the Commission offices in Carson City and Las Vegas.

Commission Members Present:

Caren Jenkins, Esq., Chairman; Mark Hutchison, Esq., Vice Chairman;
Randall Capurro; Timothy Cashman; William Flangas;
Rick Hsu, Esq.; George Keele, Esq.; Jim Kosinski, Esq.

Commission on Ethics Staff Present:

Stacy M. Woodbury, Executive Director
Emily H. Nunez, Office Manager
Tami DeVries, Research Analyst (Las Vegas)

Others Present:

Candidates for Commission Counsel:
Joan Osborne Cartlidge and Adriana G. Fralick

Chairman Jenkins called the meeting to order at 9:22 a.m., Wednesday, February 8, 2006.

Agenda Item 1 – Open Session to approve the Minutes of the January 11-12, 2006, Commission hearing

Chairman Jenkins opened this agenda item to approve the minutes of the January 11-12, Commission hearing. Executive Director, Stacy Woodbury advised the Commission that the transcripts for this meeting had just arrived in her office the day prior to the meeting, therefore, the minutes would not be available until the next meeting. The agenda item was closed.

Agenda Item 2 – Open Session to interview candidates for the position of Commission Counsel and select candidate to be offered the position

Chairman Jenkins opened this agenda item by explaining to the candidates how the interviewing process will be conducted. She also noted for the record, the Commission did receive four qualified applicants for the position, however, two had withdrew their applications within a few weeks prior to the meeting. The two candidates were interviewed in the following order: Joan Osborne Cartlidge, and Adriana G. Fralick.

After the candidate interviews, Chairman Jenkins noted for the record that Commissioner Keele is now present, but would not participate in deliberations since he was not present for the interview process. Each Commissioner then provided their impressions of the two individuals interviewed on the record. Commissioner Flangas moved that Adriana Fralick be offered the position of Commission Counsel. Vice Chairman Hutchison seconded the motion. The motion was put to a vote and passed four to three, with Commissioners Kosinski, Hsu, and Cashman voting no.

Chairman Jenkins offered the position of Commission Counsel to Ms. Fralick. Ms. Fralick accepted the position.

Agenda Item 3 – Final public hearing to act upon regulations to the Nevada Administrative Code

Pursuant to the provisions of the Administrative Procedures Act, the public was given notice of public workshops regarding the proposed amendments to the Nevada Administrative Code on November 18, 2005. A public workshop was conducted by Commission staff on December 20, 2005. Public notice of the Commission hearing was given on December 23, 2005, with a revised notice posted on January 3, 2006 to note a room change for the Las Vegas location only.

Pursuant to the official notice, the purpose and need of the proposed regulation is as follows: In an effort to make the procedures of the Commission more accessible to members of the public as well as public officers and public employees, the Commission is seeking to adopt by regulation its hearing procedures. Additionally, the Commission seeks to ensure that a subject of an ethics complaint has been afforded the appropriate due process. The regulation also makes technical changes necessary due to legislation enacted by the 2005 Nevada Legislature.

Chairman Jenkins opened this agenda item and asked that Executive Director Stacy Woodbury introduce each section and explain the intent, and then the Commission members may make comments at that time. Ms. Woodbury explained the public workshop process. The proposed regulations, upon adoption by the Commission, would be referred to the Legislative Counsel

Bureau for review by the legislative Subcommittee on Administrative Regulations in accordance with the Administrative Procedures Act. The Subcommittee on Administrative Regulations would refer the regulations to the Legislative Commission for final approval. Ms. Woodbury also provided the Commissioners a copy of the proposed regulation LCB file number R186-05 dated February 7, 2006.

The commission was unable to complete their review of the proposed regulations, and therefore, this agenda item was continued to a future date to be determined, not less than thirty days from February 8, 2006. (Note: As of the date these minutes were prepared, the hearing was rescheduled for a telephone conference between the Commission offices in Carson City and Las Vegas, beginning at 12 noon on Monday, March 20, 2006.)

Persons wishing to review a verbatim transcript of the open session discussions regarding the proposed regulations prepared by a certified court reporter may do so by contacting the Commission offices in Carson City or Las Vegas.

Agenda Item 4 – Open session for public comment

Chairman Jenkins opened the agenda item for public comment. No public comment was made, and this agenda item was closed.

Chairman Jenkins adjourned the meeting at 4:00 p.m.

Minutes transcribed by:

Minutes approved March 9, 2006

Emily H. Nunez, Office Manager

Caren Jenkins, Esq., Chairman